



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/798,874	03/10/2004	Glenn F. Evans	3382-67148	6617

26119 7590 10/04/2005
KLARQUIST SPARKMAN LLP
121 S.W. SALMON STREET
SUITE 1600
PORTLAND, OR 97204

EXAMINER

AMIN, JWALANT B

ART UNIT PAPER NUMBER

2676

DATE MAILED: 10/04/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/798,874

Applicant(s)

EVANS ET AL.

Examiner

Jwalant Amin

Art Unit

2676

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 March 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-34 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☐ Claim(s) _____ is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☒ Claim(s) 1-34 are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Election/Restrictions

1. Restriction to one of the following inventions is required under 35 U.S.C. 121:
 - I. Claims 1-5, drawn to a method representing chroma and luma information for a pixel in the video image in an n-bit representation, where the n-bit representation is convertible to a lower-precision representation by assigning zero values to one or more of the bits in the least significant byte, classified in class 345, subclass 428.
 - II. Claims 6-10, drawn to a method representing chroma and luma information for a pixel in the video image in an n-bit representation, where the n-bit representation is convertible to a higher-precision representation by changing an identifier for the video data, classified in class 345, subclass 428.
 - III. Claims 11-19, drawn to a method representing video data consisting of color channel data and alpha channel data for the video image in a packed format representation, classified in class 345, subclass 589.
 - IV. Claims 20-23, drawn to a method representing pixel data for a video image in a packed format, classified in class 345, subclass 549.
 - V. Claims 24-26, drawn to a computer-readable medium having an operable four-character code for digital video data to indicate a format of the digital video data in a computer system, classified in class 345, subclass 551.

- VI. Claims 27 -34, drawn to a method representing video data for a video image in a hybrid planar format representation, classified in class 345, subclass 555.

The inventions are distinct, each from the other because of the following reasons:

2. Inventions I, II, III, IV, V and VI are related as combination and subcombination. Inventions in this relationship are distinct if it can be shown that (1) the combination as claimed does not require the particulars of the subcombination as claimed for patentability, and (2) that the subcombination has utility by itself or in other combinations (MPEP § 806.05(c)). In the instant case, the combination as claimed does not require the particulars of the subcombination as claimed because invention I is drawn to a method for representing chroma and luma information in the video image using n-bit representation, where n-bit representation is convertible to a lower-precision representation by assigning zero values to one or more of the bits in the least significant byte. Invention II is representing chroma and luma information in the video image using n-bit representation, where n-bit representation is convertible to a higher-precision representation by changing an identifier for the video data. Invention III is drawn to a method of representing video data consisting of color channel data and alpha channel data in a packed format representation. Invention IV is drawn to a method representing pixel data for a video image in a packed format. Invention V is drawn to a computer-readable medium having a stored four-character code for digital video data, which indicates a format of the digital video data in a computer system. Invention VI is drawn to a method of representing video data in a hybrid planar format representation. The

combination is direction to the overall method of representing video data in different formats without the specific features required by the method in each subcombination.

3. Because these inventions are distinct for the reasons given above and the search required for each individual group I-VI is not required for the other individual groups I-VI as explained above, restriction for examination purposes as indicated is proper.

4. A telephone call was made to Stephen A. Wight on Wednesday, September 28, 2005 to request an oral election to the above restriction requirement, but did not result in an election being made.

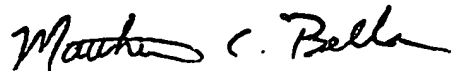
Applicant is advised that the reply to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed (37 CFR 1.143).

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jwalant Amin whose telephone number is (571) 272-2455. The examiner can normally be reached on Monday - Friday 8:30 a.m. - 5:00 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Matthew Bella can be reached on (571) 272-7778. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 2676

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to read "Matthew C. Bella".

MATTHEW C. BELLA
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600